

Prescriptions from Out of State Prescribers

An article entitled *Prescriptions Sent Through The INTERNET* was published in the April 2005 Maryland Board of Pharmacy newsletter. The article discussed pharmacists' responsibilities when filling prescriptions received from prescribers in other states or U.S. territories, who do not have a valid patient-prescriber relationship. It also addressed the corresponding responsibility placed on the pharmacist related to controlled substances. The article raised several inquiries to the Board from readers; therefore the Board is providing clarification of points provided in the article.

The reference in the April article about physicians being prohibited by the Maryland Board of Physicians from prescribing for Maryland patients if they do not have a Maryland license was not intended to indicate that pharmacists could not fill valid prescriptions from prescribers who treat patients outside of Maryland. Pharmacists in Maryland may fill prescriptions from physicians outside of Maryland without the having to verify whether the physician has a Maryland practice license. However, the pharmacist's responsibility in all cases is to use his or her professional judgment to determine whether an appropriate relationship exists between the prescriber and patient. If the pharmacist suspects that there may not be an appropriate physician-patient relationship then he should not fill the prescription.

Pharmacists may expose themselves to potential disciplinary actions if they fill multiple prescriptions received through Internet services for patients if it is obvious that a physician-patient relationship does not exist. The substance of the previous newsletter article, however, should not be interpreted to mean that a pharmacist should stop filling prescriptions for patients who have prescriptions from prescribers from outside of Maryland; particularly when it appears that there is an appropriate medical relationship. This would hold true even if the prescription were telephoned to the pharmacy as long as the pharmacist believes that the prescription has been issued by a practitioner who is acting in the usual course of professional practice.